

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  DISCONNECTION AND RECONNECTION	DOCKET NO. RMU-00-5
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**ORDER COMMENCING RULE MAKING**

(Issued February 8, 2000)

Pursuant to the authority of Iowa Code §§ 17A.4, 474.5, 476.1, and 476.20 (1999), the Utilities Board proposes to adopt the rules attached hereto and incorporated by reference. These rules amend and clarify the language contained in 199 IAC 19.4(15)"i"(2) and 20.4(15)"i"(2) with respect to when reconnection of an electric or gas customer must take place following disconnection of service. The reasons for proposing these amendments are set forth in the attached notice of intended action.

**IT IS THEREFORE ORDERED:**

1. A rule making proceeding, identified as Docket No. RMU-00-5, is commenced for purposes of receiving comments upon the proposed rules attached to this order.

2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a notice in the form attached to and incorporated by reference in this order.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.  
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 8<sup>th</sup> day of February, 2000.

## **UTILITIES DIVISION [199]**

### **NOTICE OF INTENDED ACTION**

Pursuant to Iowa Code sections 17A.4, 474.5, 476.1, and 476.20 (1999), the Utilities Board (Board) gives notice that on February 8, 2000, the Board issued an order in Docket No. RMU-00-5, In re: Disconnection and Reconnection. The Board is proposing to amend current 199 IAC 19.4(15)"i"(2) and 20.4(15)"i"(2) to make them consistent with the Board's standard customer notice forms contained in 199 IAC 19.4(15)"h"(3) and 20.4(15)"h"(3). The customer notice forms provide that electric and gas residential customers cannot be disconnected unless the utility is prepared to reconnect the same day if payment or other arrangements are made.

199 IAC 19.4(15)"i"(2) and 20.4(15)"i"(2) currently provide that "[t]he disconnection of a residential customer may not take place on a weekend, a holiday or after 2 p.m., unless the utility is prepared to reconnect the same day." While these rules can be read consistently with the language contained in the standard customer notice form, the Board believes having two sets of rules in effect is confusing. The goal is simple: disconnection cannot occur unless the utility is prepared to reconnect the same day. The language in the current rule emphasizing holidays, weekends, and after 2 p.m. may provide useful information to some customers but is likely confusing to most because it could cause customers to believe same day reconnection is not available at other times. The proposed

amendments will make it clear that the utility must be prepared to reconnect on the same day disconnection occurs if payment or other arrangement is made.

Pursuant to Iowa Code sections 17A.4(1)"a" and "b," any interested person may file a written statement of position pertaining to the proposed rules. The statement must be filed on or before March 28, 2000, by filing an original and ten copies in a form substantially complying with 199 IAC 2.2(2). All written statements should clearly state the author's name and address and should make specific reference to this docket. All communications should be directed to the Executive Secretary, Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

If requested pursuant to Iowa Code section 17A.4(1)"b," or on its own motion after reviewing the statements, the Board will determine whether an opportunity for oral presentation should be provided.

These rules are intended to implement Iowa Code sections 476.1 and 476.20.

The following amendments are proposed.

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Item 1. Amend 199 IAC 19.4(15)"i"(2) as follows:

**199—19.4(15)"i"(2).** The disconnection of a residential customer may not take place ~~on a weekend, a holiday or after 2 p.m.,~~ unless the utility is prepared to reconnect the same day if payment or other arrangement is made, and may not take place where gas is used as the only source of space heating or to control or operate the only space heating equipment at the residence, on any day when the National Weather Service forecast for the following 24 hours covering the area in which the

residence is located includes a forecast that the temperature will go below 20 degrees Fahrenheit. In any case where the utility has posted a disconnect notice in compliance with 19.4(15)"h"(3) but is precluded from disconnecting service because of a National Weather Service forecast, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees, unless the customer has paid in full the past due amount or is entitled to postponement of disconnection under some other provision of this rule.

Item 2. Amend 199 IAC 20.4(15)"i"(2) as follows:

**199—20.4(15)"i"(2).** The disconnection of a residential customer may not take place ~~on a weekend, a holiday or after 2 p.m.,~~ unless the utility is prepared to reconnect the same day if payment or other arrangement is made, and may not take place where electricity is used as the only source of space heating or to control or operate the only space heating equipment at the residence, on any day when the National Weather Service forecast for the following 24 hours covering the area in which the residence is located includes a forecast that the temperature will go below 20 degrees Fahrenheit. In any case where the utility has posted a disconnect notice in compliance with 20.4(15)"h"(5) but is precluded from disconnecting service because of a National Weather Service forecast, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees,

unless the customer has paid in full the past due amount or is entitled to postponement of disconnection under some other provision of this rule.

This rule is intended to implement Iowa Code sections 476.1 and 476.20.

February 8, 2000

/s/ Allan T. Thoms

Allan T. Thoms

Chairperson